

# Mixed reaction on Bill 100

## Change in 'one-sided bill' would please board chairman

By JOHN STEWART  
Times staff writer

Several recommendations of the Matthews' Commission studying the collective bargaining process between teachers and schoolboards indicates, "that they accepted our contention that Bill 100 is one-sided," says Peel Board of Education chairman William Kent.

Kent said Friday he was pleased with some of the report's recommendations to Education Minister Dr. Bette Stephenson, which reflect the concerns expressed in Peel's brief.

The local board had argued that Bill 100, which governs negotiations, should allow school boards to lock out teachers when they are in a position to strike. They also claimed that the work-to-rule was more damaging than a strike in many cases, and boards should have the right to reduce teachers' pay when work-to-rule takes place. The Peel trustees also suggested boards shouldn't be prevented from running schools when teachers are on strike. All of those ideas were accepted by the commission.

Kent says that the Matthews' report basically upholds the status quo of Bill 100 negotiations, including the right to strike. While he welcomed recommendations which may reduce the length of negotiations, Kent was leery about greater powers being turned over to the Ontario Education Relations Commission (ERC), which provides support in negotiations.

The ERC could have the power to step in when an "unresolvable impasse" in negotiations is reached, even before a strike takes place. It could recommend to Cabinet how the unresolved issues would be determined as well.

One of the main problems has been the inability of the ERC to attract top factfinders and mediators, Kent says. "Some of them are extreme-



**Kent: against stronger ERC**

ly good but some of them leave a lot to be desired," he says.

Claire Madge of the Mississauga-based Citizens for Educational Rights of Children, which opposed the right to strike, said she was, "disappointed but not surprised" at the recommendations.

"There just wasn't enough pressure brought to

bear," on the commission to stop strikes, she said. "Even the Ontario Secondary Students' Association supported the right to strike, she pointed out. "Parents oppose it, but they don't get up in arms until their own children are directly involved."

The Education ministry will await comment from boards, parents and teachers' federations before deciding how it will amend Bill 100.

## Night school may be victim

If one of the recommendations of the Matthews Commission on Bill 100 is approved, summer school and night school courses could be dramatically affected, says director of education John Fraser.

The Peel director has concerns about a recommendation to allow teachers' federations to bargain for teachers in summer school and night school credit courses.

Fraser says if federations bargain for the teachers, who normally are paid a flat hourly rate far below what they would normally make under salary "grids" established in contracts for day school, the existing programs would be greatly altered.

"If the rates of pay required escalate greatly without an accompanying escalation in provincial grants, then we may have some difficulty in carrying on the programs as they have existed," says Fraser. "Either the cost for the courses will have to rise dramatically or we'll have to institute much larger classes."

## Saxell to be retried

The Kaj Saxell story is back at square one.

Saxell, 28, was found not guilty by reason of insanity of a crime, but saved from placement at a psychiatric institute by judge Kenneth Langdon's controversial ruling earlier this year.

Langdon said it would be cruel and unusual punishment to assign the Mississauga resident to a psychiatric institution, especially on a relatively minor charge of possession of a dangerous weapon.

In an oral judgment last week, Mr. Justice Arthur Jessup of the Ontario Court of Appeal ordered a new trial for Saxell on the original charge.

The Crown earlier asked the Ontario Supreme Court to issue a writ of mandamus demanding that Judge Langdon, a provincial court judge, sign the warrant of committal.

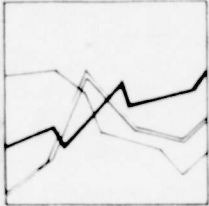
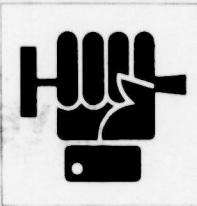
Mr. Justice John Osler of the Supreme Court refused the request.

The Crown filed appeals to Judge Langdon's original decision and that of Justice Osler's but defence lawyer Clayton Ruby's turn came first.

Ruby argued that Judge Langdon made a correct decision in refusing to commit Saxell but was wrong to have found him insane.

Justice Jessup said evidence of insanity introduced by crown attorney Steve Sheriff should not have been permitted.

Justice Jessup stipulated that a new trial not be conducted before Judge Langdon.

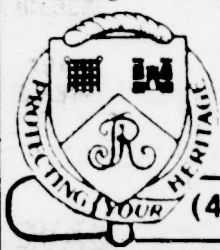


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